

REMARKS

Regarding the matter of Paragraph 3 of the Official Letter, applicant hereby affirms that claims 6-17 have been elected without traverse in response to the Examiner's requirement for restriction. The restriction does not affect the inventorship.

As to the matter of the drawings in Paragraph 5 of the Official Letter, it is dealt with in a separate document addressed to the official draftsman.

The specification has been amended according to Paragraph 6 of the Official Letter.

The claims section has been amended in part in response to the Examiner's rejection under 35 U.S.C. 112, except the Examiner is requested to review the first five lines in page 6 of the Official Letter. What appears at line 2 of claim 8, for example, is one continuous expression "a higher air-pressure generating means" which does not require any antecedent basis. This means is described as being a means "for generating said high air pressure ..." with the high air pressure properly carrying an antecedent basis. The same remark applies to the one continuous expression "a lower air-pressure generating means" which appears at lines 3-4 of claim 8.

Claims 6-17 were rejected under 35 U.S.C. 103 over Fukuda in view of Simionato and Kreager. The Examiner correctly stated that Fukuda failed to disclose a two-chambered air cylinder functioning as described in independent claim 6 and relied upon Simionato which discloses stacked cylinders 9 and 10. Simionato describes the operations of these cylinders 9 and 10 in column 3 between lines 5 and 29 but says nowhere in between that these two cylinders control the compressive force with which the material 3 is compressed. Moving the two slides 7 in steps by these cylinders is not "controlling" the compressive force, as the expression "controlling" is normally to be understood. The Examiner points out that Simionato refers to "other control means" which may replace these two cylinders 9 and 10 but when Simionato talks

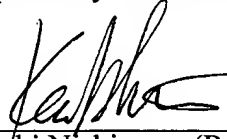
of "other control means" in column 3 at line 13, he is not talking about the control of the force with which the material to be sealed is compressed but the control of other variables such as the contact times and distance between the belts 1 and the strip material 3 (column 3, lines 25-26). In other words, Simionato is not teaching what the Examiner alleges that he does.

The secondary reference of Kreager was cited evidently for disclosing two air cylinders 80 and 88 and a pressure regulator 92. As for the two air cylinders 80 and 88, they are adapted to be controlled by two separate air activation valves 96, as correctly noted by the Examiner. The air cylinder of claim 6 herein does not operate in this manner but is provided with a switching means for supplying selectively either a higher pressure or a lower pressure from an air-pressure generating means. Kreager does not disclose such a switching means, and neither does Simionato. In summary, neither the two air cylinders of Simionato nor the two air cylinders of Kreager are adapted to be operated in the way the air cylinder of claim 6 herein is. As for Kreager's pressure regulator 92, it is a totally separate, independent and different entity, as shown in Fig. 3, from the cylinders 80 and 88 while the air cylinder of claim 6 itself functions so as to control the pressure force on the film being made into a bag.

In summary, the two secondary references by Simionato and Kreager each fail to disclose what Fukuda failed to disclose of the inventive elements of claim 6 herein. Thus, even if these cited references are considered together, an apparatus as conditioned by the language of claim 6 cannot result. In other words, these cited references cannot predicate the Examiner's rejection of claim 6, and hence also of all the claims dependent therefrom, on the obviousness ground.

It is therefore believed that the instant Amendment is completely responsive to the Office Action and hence that the application is now in condition for allowance.

Respectfully submitted,



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